

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

GUNNER OLSON,)	
)	
Plaintiff,)	
)	
v.)	No. 2:20-cv-00493-JPH-MJD
)	
JOHN PLASSE,)	
)	
Defendant.)	

**Order Granting Motion for Information
and Directing Plaintiff to Show Cause Why Action Should Not be Dismissed**

Plaintiff Gunner Olson's motion for information seeks guidance on how he is to pay the remaining balance of the \$350.00 filing fee. The motion, dkt. [13], is **granted** to the extent that Mr. Olson should continue to make payments to the clerk of the district court until the fee is paid.

Mr. Olson's motion also notified the Court that he is no longer being held in the Vigo County Jail. Dkt. 13. In his lawsuit, Mr. Olson is not seeking monetary damages and asked only for injunctive relief concerning jail overcrowding and the conditions overcrowding causes. The only defendant is the Sheriff of Vigo County, John Plasse, who is sued in his official capacity. Mr. Olson's release from jail has mooted his request for injunctive relief. *See Easterling v. Pollard*, 528 F. App'x 653, 656 (7th Cir. 2013) (citing *Grayson v. Schuler*, 666 F.3d 450, 451 (7th Cir. 2012); *Vinning–El v. Evans*, 657 F.3d 591, 592 (7th Cir. 2011)).

No later than **December 21, 2020**, Mr. Olson shall **show cause** why this action should not be dismissed as moot and final judgment entered. If Mr. Olson files a return to this order to show cause, the defendant may file a response no later than **ten days** after being served with the return. Should Mr. Olson fail to show cause by **December 21, 2020**, this action will be dismissed as moot and final judgment entered without further notice or opportunity to be heard.

Whether this action proceeds or is dismissed will not have an effect on Mr. Olson's obligation to pay the balance of the \$350 filing fee.

SO ORDERED.

Date: 11/24/2020

James Patrick Hanlon

James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

Gunner Olson

1515 S. 17th St.
Terre Haute, IN 47802

David P. Friedrich
Wilkinson Goeller Modesitt Wilkinson and Drummy
dpfriedrich@wilkinsonlaw.com